

**O'BRIEN, BELLAND & BUSHINSKY, LLC**

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By: Steven J. Bushinsky, Esquire

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*Attorneys for Co-Defendant, Painters District Council No. 711 Health & Welfare Fund*

**NORTH JERSEY SURGERY  
CENTER,**

*Plaintiffs,*

vs.

**HORIZON BLUE CROSS BLUE  
SHIELD OF NEW JERSEY, et al,**

*Defendants*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW  
JERSEY

Case No. 12-6787 (DMC-JAD)

**DEFENDANT, PAINTERS  
DISTRICT COUNCIL NO. 711  
HEALTH & WELFARE FUND'S  
NOTICE OF MOTION FOR LEAVE  
TO FILE AMENDED ANSWER,  
CROSS CLAIM AND SEPARATE  
DEFENSES TO AMENDED  
COMPLAINT**

To: Andrew R. Bronsnick, Esquire

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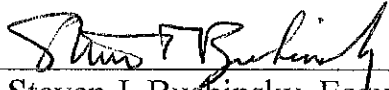
**PLEASE TAKE NOTICE** that on February 18, 2014, the undersigned attorney for Co-Defendant, Painters District Council No. 711 Health & Welfare Fund, shall move before the Honorable Dennis M. Cavanaugh, U.S.D.J., at the United States District Court for the District of New Jersey, M.L. King Jr., Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for entry of an Order granting Co-Defendant leave to file an Amended Answer, Cross Claim and Separate Defenses to Amended Complaint.

**PLEASE TAKE FURTHER NOTICE** that, in support of this Motion, the Co-Defendant relies on the proposed Amended Answer, Cross Claim and Separate Defenses to Amended Complaint annexed to the Certification of Steven J. Bushinsky, Esquire as Exhibit "A". A proposed form of Order is submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that Co-Defendant Painters District Council No. 711 Health & Welfare Fund hereby requests oral argument if timely opposition is filed.

**O'BRIEN, BELLAND & BUSHINSKY, LLC**

*Attorneys for Co-Defendant, Painters District Council No. 711  
Health & Welfare Fund*

By:   
Steven J. Bushinsky, Esquire

Dated: January 22, 2014